HON'BLE SRI JUSTICE BILAL NAZKI
AND
HON'BLE SRI JUSTICE S. ANANDA REDDY

WRIT PETITION No.18110 of 2007

Date: 28-08-2007.

Between :

M/s.Indus Constructions, Hyderabad,
rep. by its Partner.

.....Petitioner

And

The Appellate Dy.Commissioner (CT), Secunderabad Division & another.

.....Respondents.

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ORDER : (Per Hon'ble Sri Justice Bilal Nazki)

Heard learned counsel for the parties. With their consent, the writ petition is disposed of at this stage.

The petitioner filed an appeal before the Appellate Deputy Commissioner, which was rejected by order dated 26.07.2006. However, the learned counsel for petitioner submits that this order was communicated to him on 17.07.2007. The appellant had not deposited 12.5% of the disputed tax, which is a pre-condition for filing an appeal. The petitioner submits that after receiving the order of the appellate authority on 17.07.2007, he deposited the requisite amount on 21.07.2007. Now that the amount has been deposited, we feel that it would be in the interest of justice if the appeal is taken back on record and decided on merits. Accordingly, the order impugned is set aside and the Appellate Deputy Commissioner is directed to take the appeal on record and decide it on

merits.

Writ petition is disposed of accordingly.

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BILAL NAZKI, J

28th August 2007.

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S. ANANDA REDDY, J

ajr